

IN THE UNITED STATES DISTRICT FOR
THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

JEROME SCHMIDT

Plaintiff

vs.

UNITED STATES OF AMERICA,

Defendant

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No. 1:18-cv-00088-LY

**PLAINTIFF'S SECOND SUPPLEMENTAL DESIGNATION OF
TESTIFYING EXPERTS**

Plaintiff serves this supplemental designation of Retained Testifying Experts pursuant to Fed. R. Civ. P. 26(a)(2)(B) and the Court's Scheduling Order.

I. TESTIFYING EXPERTS

Plaintiff designates the following retained expert witnesses to provide rebuttal testimony in this case:

A. *Michael Freeman, MD, PhD*

Areas of Expertise: Forensic pathology, Accident Reconstruction, Epidemiology, and Psychiatry

Dr. Michael Freeman is board certified in forensic sciences and an accredited crash reconstructionist. He is an Affiliate Professor of Forensic Medicine at the CAPHRI School for Public Health and Primary Care at the Maastricht University Medical Center

and an Affiliate Professor of Psychiatry at Oregon Health and Science University. For a more detailed summary of Dr. Freeman's skills, training, education, experience, and knowledge, please see his *curriculum vitae*, which has been separately served on Defendant as **Exhibit 27** to this designation and is incorporated by reference into this designation. His CV also contains a list of his publications.

Dr. Freeman will testify to any causation issues in this case, including accident reconstruction causation issues. He will testify to any subject on which he has factual knowledge or is within his area of expertise. He will testify regarding any opinion or fact or issue raised by the Defendant, its employees, any of Defendant's witnesses, or any Defense expert within their area of expertise. His expected testimony will address causation and damages issues surrounding the facts that are the subject of this lawsuit and that are within his area of expertise. His opinions are based on a review of Dr. Schmidt's health care records, imaging studies, testimony taken and to be taken in this case, any specific literature he may have relied upon, and his education, training, and experience. He is also reviewed the examinations and conclusions of Dr. Lewine, Dr. Thoma, Dr. Synder, and Dr. Bigler.

At this time, Plaintiff has no further knowledge of the mental impressions, opinions and facts known to this expert other than those contained in his report. For a more detailed discussion of his opinions and basis for those opinions, please see his report which is attached as **Exhibit 28** and which is incorporated by reference into this designation. He is available for deposition and Defendant may examine him for a more detailed explanation of his opinions and basis for those opinions relating to this case.

Once he has given deposition or other testimony in this case, Plaintiff incorporates such testimony by reference into this designation.

Dr. Freeman's compensation is summarized on the attached fee schedule which is attached as **Exhibit 29** and is incorporated by reference into this designation. A list of cases Dr. Freeman has testified in by deposition or trial is attached as **Exhibit 30**.

Dr. Freeman reserves the right to use any exhibits previously produced by Plaintiff, any part or part of his expert report or cited literature, any exhibits that have or will be exchanged in discovery, and any documents that he brings with him to his deposition.

Respectfully Submitted,

/s/ Jamal Alsaffar

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CERTIFICATE OF SERVICE

By my signature above, I certify that a copy of this pleading has been sent to the following on September 14, 2018 via email and USPS.

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